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General and complete disarmament: observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control

Report of the Secretary-General

Addendum

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II. Replies received from Governments

Iraq

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In view of the increasing global awareness of the importance of environmental protection, observance of environmental norms has become a cornerstone in the drafting and implementation of agreements on disarmament and arms control, and it is now a requirement for the international community and its organizations to take action on this important matter, pursuant to the measures adopted by the United Nations Conference on Environment and Development in 1992, and other agreements.

United Nations resolutions, and most recently, General Assembly resolution 53/77 J, have affirmed the need for all States, through their actions, to fully contribute to ensuring compliance with environmental norms in the implementation of treaties and conventions. Such compliance should be emphasized on a permanent basis, in order to protect the environment and the credibility of international resolutions.

A quick review of compliance with such obligations during the present decade reveals that two States that are permanent members of the Security Council are in deliberate violation of their obligations pursuant to United Nations resolutions and international conferences concerning environmental protection. They are also in breach of their obligations with respect to agreements on disarmament and arms control, having used depleted uranium shells in the course of their attacks on Iraq in 1991 and on the Federal Republic of Yugoslavia in 1999, despite their prior knowledge of the disastrous consequences of the use of such radioactive weapons, which are excessively injurious and have indiscriminate effects, and damage human life and the environment in the areas in which they are used. Furthermore, thousands of American and British soldiers are now suffering from Gulf War syndrome after being exposed to radioactivity from depleted uranium.

Depleted uranium is a new generation of radioactive weapons, the use of which is proscribed by international agreements. A high-density uranium shell is made from radioactive nuclear waste resulting from the manufacture of nuclear fuel and nuclear bombs. When the shell hits its target, normally a tank or an armoured car, it emits chemical and radioactive dust containing carcinogenic ionized atoms (alpha-gamma) that not only contaminates the area around the incinerated tank but is carried great distances on the wind and spread over a wide area, contaminating the air, soil, vegetation and human beings. The dimensions of the tragedy caused by the use of these weapons of mass destruction are clear: contamination of the Iraqi environment will last as long as the soil does, since the life of depleted uranium is 4.5 billion years. When human beings are exposed to the radioactivity emitted by depleted uranium, organs primarily affected are the kidneys and liver; the immune system and the reproductive system are also affected. Exposure to such radioactivity causes congenital defects and many types of cancer.

According to a restricted report prepared by the United Kingdom Atomic Energy Authority, United Kingdom and United States forces dumped not less than 40 tons of depleted uranium on Kuwait and southern Iraq, a quantity that could cause half a million deaths in the existing population. It is stated in papers released under the United States Freedom of Information Act that the coalition forces fired approximately 4,000 projectiles made from depleted uranium, and that United States Air Force A-10 aircraft fired some 940,000 30 mm shells. These projectiles were fired at 4,000 Iraqi tanks and armoured cars, at roads and at cars being used to transport goods and refugees. One of the results of the widespread use of this appalling weapon was an enormous increase in the number of cases of cancer, miscarriage, neurological disorders, foetal abnormalities and congenital defects among Iraqi civilians and, in particular, among those living in the southern governorates that were the theatre in which this dreadful weapon was used. In the first year subsequent to its use, depleted uranium was implicated in the deaths of 50,000 Iraqi children who were stricken with various illnesses, the most common of which was leukemia.

The disastrous effects on Iraqi civilians of the use of depleted uranium will continue into future generations, since this weapon has contaminated and made radioactive enormous tracts of Iraqi territory. The United States and the United Kingdom are responsible for this humanitarian and environmental catastrophe. They must not shirk that responsibility, and must make perceptible efforts to alleviate at least some of the effects of the use of this weapon, and compensate Iraq for the damage that has been caused.

The use by the coalition forces of depleted uranium and their destruction of industrial facilities, electricity generation stations and petroleum installations during their attack on Iraq in 1991 amounted to the deliberate destruction of the environment and an act of genocide. This was in flagrant violation of international conventions related to disarmament, including the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to

Have Indiscriminate Effects (1980). The Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques (1976), and the Protocol Additional to the Geneva Conventions of 12 August 1949, relating to the protection of victims of international armed conflicts (Protocol I). Article 55 of Geneva Protocol I, on protection of the natural environment, states:

> "1. Care shall be taken in warfare to protect the natural environment against widespread, long-term and severe damage. This protection includes a prohibition of the use of methods or means of warfare which are intended or may be expected to cause such damage to the natural environment and thereby to prejudice the health or survival of the population.
>
> "2. Attacks against the natural environment by way of reprisals are prohibited."

The international community and its organizations and, in particular, the Conference on Disarmament, must make genuine endeavours to agree to an international convention on the prohibition of the production and use of depleted uranium for military purposes, and the existing international conventions relating to environmental protection must be strengthened by additional measures to deter parties from failing to respect environmental laws.

Paraguay

[Original: Spanish]
[19 July 1999]

The force does not have any arms that could harm or affect the environment. Recently, two pieces of property belonging to the Air Force were declared ecological reserves and the Air Force is responsible for inspecting and protecting them.